

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

THETA IP, LLC,

v.

SAMSUNG ELECTRONICS CO., LTD., et
al.

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Case No. 2:16-CV-00527-JRG-RSP

ORDER

Judge Payne issued a Report and Recommendation, which recommended denying Theta IP, LLC's ("Theta") motion to dismiss Samsung's counterclaim. The Report and Recommendation was filed on August 17, 2017, and the parties had until August 31, 2017, to file any objections. No objections were filed, and the time to do so has now passed. *See* Fed. R. Civ. P. 72(b)(2).


Accordingly,

It is **ORDERED**:

(1) Judge Payne's Report and Recommendation, Dkt. 108, is **ADOPTED**.

(2) Theta's motion to dismiss, Dkt. 58, is **DENIED**.

So ORDERED and SIGNED this 6th day of September, 2017.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE